R marks

With the filing of the present amendment, previously withdrawn claims 18, 22, 23, 24, 25, 30 and 37 are hereby cancelled. Claims 17, 19, 20, 21, 26-29, 31-36 and 38-41 remain pending. Claim 17 has been amended to further define "alkyl interrupted by one or more hetero atoms" and "heterocyclic". Support for these amendments is found in the originally filed specification on page 2, penultimate paragraph and page 8, lines 19-20, respectively. Claims 19, 27 and 29 have been amended to cancel non-elected subject matter. Claim 26 has been amended to reflect consistent characterization of "R" group nomenclature. Claim 41 has been added to incorporate elected subject matter from cancelled claim 18. Claim 42 has been added to address a pharmaceutical composition of claim 29. Additionally, the specification has been amended to correct a typographical error on page 18, in which -5,6-Diethyl-inden-2-ylamine hydrochloride is amended to -5,6-Diethyl-indan-2-ylamine hydrochloride. Support for this is found on page 19, second full paragraph, which describes the preparation of the ultimate compound 5,6-Diethyl-indan-2-ylamine hydrochloride. It is submitted that no new matter has been added by these amendments.

The rejection of claims 17, 19-21, 23, 26-29, 31-36 and 38-40 under 35 USC 112, second paragraph is believed to be overcome by the inclusion of the definitions of i) the type and number of heteroatoms which interrupt the alkyl groups, and ii) the term heterocyclic.

Applicants respectfully traverse the rejection of claim 33 under 35 USC 112, first paragraph as lacking enablement. The compounds of the instant invention have a prolonged stimulating action on the β2-adrenoreceptor as demonstrated by the guinea pig tracheal strip *in vitro* assay and the filtration binding assays described in the instant specification at page 14, line 13 through page 15, line 8. Diseases mediated by the β2-adrenoreceptor are well known in the art as discussed in the instant specification at pages 15-17. The art is then predictable, and undue experimentation is not required. Therefore, a claim to the treatment of such conditions by compounds known to be agonists to the β2-adrenoreceptor is enabled.

In view of the foregoing, it is respectfully submitted that the claims of the instant application are patentable and an early notice to that effect is earnestly solicited.

Respectfully submitted,

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